



General Assembly

February Session, 2004

Substitute Bill No. 5375

* _____ HB05375ENVF IN031604 _____ *

AN ACT CONCERNING THE RECYCLING OF ELECTRONIC DEVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) As used in this
2 section, (1) "electronic device" means an item containing a cathode ray
3 tube that is purchased for use in a residence, (2) "sell" or "sold" means
4 any transfer, for consideration, of title or of right to use, by lease or
5 sales contract, (3) "retailer" means a person, including, but not limited
6 to, a manufacturer, who sells an electronic device to a consumer, (4)
7 "commissioner" means the Commissioner of Environmental Protection,
8 (5) "operating committee" means a committee created pursuant to
9 subsection (c) of section 22a-221 of the general statutes, and (6)
10 "authority" means a regional resource recovery authority created
11 pursuant to chapter 103b of the general statutes or the Connecticut
12 Resources Recovery Authority established by section 22a-261 of the
13 general statutes.

14 (b) There is established within the Environmental Quality Fund
15 established under section 22a-27g of the general statutes an account to
16 be known as the "electronics recycling account". Notwithstanding the
17 provisions of section 22a-27g of the general statutes, any moneys
18 collected in accordance with subsection (c) of this section shall be
19 deposited in the Environmental Quality Fund and credited to the
20 electronics recycling account. Any balance remaining in the account at

21 the end of any fiscal year shall be carried forward in the account for
22 the fiscal year next succeeding. The account shall be allocated on July
23 first of each year by the commissioner in the following manner: (1) Not
24 more than eighty-four per cent of the balance of the account for
25 reimbursement to municipalities, operating committees, authorities or
26 a private entity with which a municipality, operating committee or
27 authority contracted pursuant to subsection (d) of this section, to offset
28 the costs incurred in administering the electronics recycling program,
29 (2) not more than eight per cent of the balance may be used by the
30 commissioner for the development and implementation of a grant
31 program for municipalities, operating committees or authorities to
32 initiate or enhance municipal electronics recycling programs and to
33 encourage regionalization of local electronics recycling programs, (3)
34 not more than three per cent of the balance of the account may be used
35 by the commissioner for the development and implementation of a
36 grant program for research and development of electronics that
37 contain a reduced amount of or no toxic heavy metals, and (4) not
38 more than five per cent of the account may be used by the
39 commissioner for the administration of the municipal assistance
40 programs pursuant to subsection (e) of this section.

41 (c) (1) There shall be paid to the Commissioner of Revenue Services
42 by any retailer of electronic devices a fee of ten dollars on the sale at
43 retail of any such device. Each retailer of an electronic device shall
44 register with said commissioner on forms prescribed by the
45 commissioner. Each retailer of an electronic device shall submit a
46 return quarterly to said commissioner, applicable with respect to the
47 calendar quarter beginning January 1, 2005, and each calendar quarter
48 thereafter, on or before the last day of the month immediately
49 following the end of each such calendar quarter, on a form prescribed
50 by the commissioner, together with payment of the fees collected
51 during the previous quarter under this subsection, minus two per cent,
52 which percentage may be retained by the retailer for administrative
53 costs associated with collecting the fee.

54 (2) The Commissioner of Revenue Services shall cause copies of a

55 form prescribed for submitting returns as required under this section
56 to be distributed throughout the state. Failure to receive such form
57 shall not be construed to relieve anyone subject to the fee under this
58 section from the obligations of submitting a return, together with
59 payment of such fee within the time required.

60 (3) The provisions of sections 12-548 to 12-554, inclusive, of the
61 general statutes and sections 12-555a and 12-555b of the general
62 statutes shall apply to the provisions of this section in the same
63 manner and with the same force and effect as if the language in said
64 sections had been incorporated in full into this section and had
65 expressly referred to the fee imposed under this section, except to the
66 extent that any such provision is inconsistent with a provision of this
67 section and except that the term "tax" or "tax imposed under the
68 provisions of this chapter" shall read as "electronic device fee".

69 (d) A municipality, operating committee or authority that
70 implements an electronics recycling program shall be eligible to
71 receive reimbursement from the electronics recycling account,
72 established in subsection (b) of this section, in an amount equal to ten
73 dollars for each electronic device recycled by the municipality,
74 operating committee or authority for the previous year. A
75 municipality, operating committee or authority may contract with
76 another municipality, operating committee or authority or a private
77 entity to provide for the recycling of electronic devices. The
78 commissioner shall reimburse a municipality, operating committee or
79 authority after receiving a statement certified by the chief financial
80 officer or the treasurer of the municipality, operating committee,
81 authority or the private entity with which a municipality, operating
82 committee or authority contracted, that includes the number of
83 electronic devices recycled in the previous year. A municipality,
84 operating committee, authority or a private entity that receives
85 reimbursement from the electronics recycling account shall not charge
86 a fee for the recycling of electronic devices.

87 (e) The commissioner shall assist the electronics recycling programs

88 established pursuant to this section by (1) educating the public on the
 89 environmental benefits of recycling electronic devices, including, but
 90 not limited to, educating consumers at the point-of-sale, (2) assisting
 91 municipalities, operating committees or authorities in developing
 92 electronics recycling programs, including, but not limited to, assisting
 93 with the coordination of regional recovery efforts, (3) assisting the
 94 Office of Policy and Management in establishing a state recycling
 95 contract with private entities that may be used by municipalities,
 96 operating committees or authorities, (4) providing technical assistance
 97 to municipalities, operating committees or authorities in the
 98 development of procurement requirements for electronic devices with
 99 a certain minimum recycled content and for preferential treatment of
 100 vendors and manufacturers that utilize environmentally responsible
 101 manufacturing processes or that utilize sustainable product
 102 stewardship programs, and (5) submitting an annual report, in
 103 accordance with the provisions of section 11-4a of the general statutes,
 104 to the joint standing committee of the General Assembly having
 105 cognizance of matters relating to the environment on or before January
 106 fifteenth of each year describing the management of discarded
 107 electronic devices for the preceding fiscal year ending June thirtieth,
 108 which report shall include (A) an evaluation of the implementation of
 109 this section, (B) the amount of fees collected and distributed, (C) the
 110 beginning and ending balances of the electronics recycling account,
 111 established in subsection (b) of this section, and a list of
 112 reimbursements made from such account, and (D) any other
 113 information the commissioner deems relevant.

This act shall take effect as follows:	
Section 1	October 1, 2004

ENV Joint Favorable Subst. C/R

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